If you are a University of Alaska (UA) student or employee and have experienced discrimination based on your race, religion, color, national origin, citizenship, age, sex, physical or mental disability, status as a protected veteran, marital status, changes in marital status, pregnancy, childbirth or related medical conditions, parenthood, sexual orientation, gender identity, political affiliation or belief, genetic information, or other legally protected status, you have certain rights. These rights are summarized below and can be found in more detail in University of Alaska Board of Regents Policy and Regulation (BOR P&R) 01.02 at: http://alaska.edu/bor/policy-regulations/ BOR P&R 01.02 does not apply to sexual or gender based discrimination. These forms of discrimination are addressed in BOR P&R 01.04.

Who is a complainant? A complainant is the individual or individuals who have allegedly been the subject of conduct prohibited under the UA anti-discrimination policy, regardless of whether the individual or individuals file a complaint or otherwise seek disciplinary action.

Who is a respondent? A respondent is the individual or individuals who allegedly engaged in the conduct prohibited under the UA anti-discrimination policy.

What is an informal resolution? The purpose of an informal resolution is to educate and inform respondents of their offensive behavior and to allow them an opportunity to voluntarily correct inappropriate behavior without the need for a formal investigation or disciplinary action. If informal resolution fails or is inappropriate due to the circumstances, a formal investigation may be conducted.

What is a formal resolution? If the complainant or the University request a formal resolution of the complaint, the University conducts an administrative investigation to determine if, by a preponderance of the evidence, there is a violation of University Policy and Regulation. UA does not conduct criminal investigations.

1. You have the right to a learning and working environment free of discrimination at the University of Alaska. Students and employees may not be adversely treated or affected due to distinctions or differentiations on the basis of a legally protected status or on some basis other than qualifications, abilities, and performance. Principles of academic freedom and freedom of expression require tolerance of the expression of ideas and opinions even though they may be offensive to some. However, ideas and opinions must be expressed in a manner that does not created an intimidating, hostile, or offensive environment or interfere with an individual’s performance.

2. You have the right to assistance in resolving discrimination allegations. Accused students or employees are not required to resolve the allegation directly with the complaint.

Margo Griffith, Department of Equity and Compliance Director, ADA / 504 Coordinator
907-474-7300 • uaf-deo@alaska.edu

UAF is an AA/EO employer and educational institution and prohibits illegal discrimination against any individual: www.alaska.edu/titleIXcompliance/nondiscrimination. 08/2017
3. You have the right to file a complaint of discrimination with the Department of Equity and Compliance (DE&C), with Office for Civil Rights and/or pursue a criminal complaint with UAF Police. There is no statute of limitations on filing a formal complaint with the university. You may request use of the informal or formal resolution process to resolve your complaint. The informal process may be ended at any time, and a formal process initiated. Simultaneously, you may pursue criminal charges. To request a criminal investigation into the matter, a report must be filed with a law enforcement agency. If you are considering criminal prosecution, it is extremely important to preserve all relevant evidence.

4. You have the right to a prompt, fair, and impartial investigation of the complaint. You will have an opportunity equal to that of the complainant(s) to present relevant witnesses and evidence directly to the investigator. You will be provided the information and/or evidence the investigator is considering prior to the analysis of evidence gathered and conclusion of the investigation.

5. You have the right to information regarding the status of the complaint, including the outcome of the administrative investigation. You and the complainant(s) will be simultaneously informed in writing of the outcome of the investigation and the procedures to appeal.

6. You have the right to receive confidential counseling. Students may receive counseling from UAF Student Health & Counseling Center. Appointments may be made by calling 907-474-7043 from 8 a.m. to 5 p.m. Monday through Friday. Eligible employees may seek counseling through the university Employee Assistance Program by calling 800-697-0353, with 24 hours a day, seven days a week availability.

7. ASUAF Student Ombudsman: The UAF student government ombudsman is a source of information for students concerning the policies, rules and regulations of ASUAF, and the University of Alaska Fairbanks and can assist with information on the investigation process. ASUAF is located at: 119 Wood Center or call (907) 474-7355.

8. Union Representation: If you are a bargaining unit employee, you have a right to union representation through any interviews during the investigation, and any proceedings or meetings resulting from an investigation or any appeal.

9. You have the right to privacy. The university will take steps to respect the privacy of those involved. In some circumstances it may not be possible to maintain absolute confidentiality, especially in cases where the university must take action to protect the safety of others. Respondent(s) have the right to know the names of those making allegations of discrimination, however, information will not be shared beyond those with a need to know. If an investigation is conducted, both parties will have the opportunity to review all relevant evidence.
10. **You have the right to be free from retaliation as detailed in University Regulation 01.02.025.** All persons have the right to report any conduct which they reasonably believe constitutes discrimination. No university official may take disciplinary or other adverse action against a person who genuinely but mistakenly believes himself or herself to be discriminated against, even if the practices complained of do not, in fact, constitute discrimination. Threats or other forms of intimidation or retaliation by faculty, staff or students against complainants, respondents, witnesses, investigators or anyone else involved in the investigative process will constitute a violation of university policy and may be subject to administrative action.

11. **Respondents are not required to participate in an investigation.** If an investigation is conducted and you do not wish to participate, the investigator will complete the investigation in light of the information available.